

## Union Calendar No. 120

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1900

[Report No. 107-203]

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2001

Mr. GREENWOOD (for himself and Mr. SCOTT) introduced the following bill; which was referred to the Committee on Education and the Workforce

SEPTEMBER 10, 2001

Additional sponsor: Mr. CASTLE

SEPTEMBER 10, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 17, 2001]

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## A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Ju-*  
 5 *venile Justice and Delinquency Prevention Act of 2001”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents of this*  
 7 *Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Findings.*

*Sec. 3. Purpose.*

*Sec. 4. Definitions.*

*Sec. 5. Concentration of Federal effort.*

*Sec. 6. Coordinating Council on Juvenile Justice and Delinquency Prevention.*

*Sec. 7. Annual report.*

*Sec. 8. Allocation.*

*Sec. 9. State plans.*

*Sec. 10. Juvenile delinquency prevention block grant program.*

*Sec. 11. Research; evaluation; technical assistance; training.*

*Sec. 12. Demonstration projects.*

*Sec. 13. Authorization of appropriations.*

*Sec. 14. Administrative authority.*

*Sec. 15. Use of funds.*

*Sec. 16. Limitation on use of funds.*

*Sec. 17. Rules of construction.*

*Sec. 18. Leasing surplus Federal property.*

*Sec. 19. Issuance of rules.*

*Sec. 20. Content of materials.*

*Sec. 21. Technical and conforming amendments.*

*Sec. 22. Effective date; application of amendments.*

8 **SEC. 2. FINDINGS.**

9 *Section 101 of the Juvenile Justice and Delinquency*  
 10 *Prevention Act of 1974 (42 U.S.C. 5601) is amended to read*  
 11 *as follows:*

12 *“FINDINGS*

13 *“SEC. 101. (a) The Congress finds the following:*

14 *“(1) Although the juvenile violent crime arrest*  
 15 *rate in 1999 was the lowest in the decade, there re-*

1        *mains a consensus that the number of crimes and the*  
2        *rate of offending by juveniles nationwide is still too*  
3        *high.*

4            *“(2) According to the Office of Juvenile Justice*  
5        *and Delinquency Prevention, allowing 1 youth to*  
6        *leave school for a life of crime and of drug abuse costs*  
7        *society \$1,700,000 to \$2,300,000 annually.*

8            *“(3) One in every 6 individuals (16.2 percent)*  
9        *arrested for committing violent crime in 1999 was*  
10       *less than 18 years of age. In 1999, juveniles accounted*  
11       *for 9 percent of murder arrests, 17 percent of forcible*  
12       *rape arrests, 25 percent of robbery arrests, 14 percent*  
13       *of aggravated assault arrests, and 24 percent of weap-*  
14       *ons arrests.*

15           *“(4) More than 1/2 of juvenile murder victims are*  
16       *killed with firearms. Of the nearly 1,800 murder vic-*  
17       *tims less than 18 years of age, 17 percent of the vic-*  
18       *tims less than 13 years of age were murdered with a*  
19       *firearm, and 81 percent of the victims 13 years of age*  
20       *or older were killed with a firearm.*

21           *“(5) Juveniles accounted for 13 percent of all*  
22       *drug abuse violation arrests in 1999. Between 1990*  
23       *and 1999, juvenile arrests for drug abuse violations*  
24       *rose 132 percent.*

1           “(6) Over the last 3 decades, youth gang prob-  
2       lems have increased nationwide. In the 1970’s, 19  
3       States reported youth gang problems. By the late  
4       1990’s, all 50 States and the District of Columbia re-  
5       ported gang problems. For the same period, the num-  
6       ber of cities reporting youth gang problems grew 843  
7       percent, and the number of counties reporting gang  
8       problems increased more than 1,000 percent.

9           “(7) According to a national crime survey of in-  
10      dividuals 12 years of age or older during 1999, those  
11      12 to 19 years old are victims of violent crime at  
12      higher rates than individuals in all other age groups.  
13      Only 30.8 percent of these violent victimizations were  
14      reported by youth to police in 1999.

15          “(8) One-fifth of juveniles 16 years of age who  
16      had been arrested were first arrested before attaining  
17      12 years of age. Juveniles who are known to the juve-  
18      nile justice system before attaining 13 years of age  
19      are responsible for a disproportionate share of serious  
20      crimes and violence.

21          “(9) The increase in the arrest rates for girls and  
22      young juvenile offenders has changed the composition  
23      of violent offenders entering the juvenile justice sys-  
24      tem.

1           “(10) These problems should be addressed  
2           through a 2-track common sense approach that ad-  
3           dresses the needs of individual juveniles and society at  
4           large by promoting—

5                   “(A) quality prevention programs that—

6                           “(i) work with juveniles, their families,  
7                           local public agencies, and community-based  
8                           organizations, and take into consideration  
9                           such factors as whether or not juveniles have  
10                          been the victims of family violence (includ-  
11                          ing child abuse and neglect); and

12                           “(ii) are designed to reduce risks and  
13                           develop competencies in at-risk juveniles  
14                           that will prevent, and reduce the rate of,  
15                           violent delinquent behavior; and

16                          “(B) programs that assist in holding juve-  
17                          niles accountable for their actions and in devel-  
18                          oping the competencies necessary to become re-  
19                          sponsible and productive members of their com-  
20                          munities, including a system of graduated sanc-  
21                          tions to respond to each delinquent act, requiring  
22                          juveniles to make restitution, or perform commu-  
23                          nity service, for the damage caused by their de-  
24                          linquent acts, and methods for increasing victim

1            *satisfaction with respect to the penalties imposed*  
2            *on juveniles for their acts.*

“(11) Coordinated juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter can help prevent juveniles from becoming delinquent and help delinquent youth return to a productive life.

9           “(b) Congress must act now to reform this program  
10 by focusing on juvenile delinquency prevention programs,  
11 as well as programs that hold juveniles accountable for their  
12 acts and which provide opportunities for competency devel-  
13 opment. Without true reform, the juvenile justice system  
14 will not be able to overcome the challenges it will face in  
15 the coming years when the number of juveniles is expected  
16 to increase by 18 percent between 2000 and 2030.”.

17 **SEC. 3. PURPOSE.**

Section 102 of the Juvenile Justice and Delinquency  
Prevention Act of 1974 (42 U.S.C. 5602) is amended to read  
as follows:

21 “PURPOSES

22       “SEC. 102. *The purposes of this title and title II are—*

23 “(1) to support State and local programs that  
24 prevent juvenile involvement in delinquent behavior;

1           “(2) to assist State and local governments in  
2           promoting public safety by encouraging account-  
3           ability for acts of juvenile delinquency; and

4           “(3) to assist State and local governments in ad-  
5           dressing juvenile crime through the provision of tech-  
6           nical assistance, research, training, evaluation, and  
7           the dissemination of information on effective pro-  
8           grams for combating juvenile delinquency.”.

9   **SEC. 4. DEFINITIONS.**

10          Section 103 of the *Juvenile Justice and Delinquency*  
11   *Prevention Act of 1974* (42 U.S.C. 5603) is amended—

12               (1) in paragraph (3) by striking “to help prevent  
13               juvenile delinquency” and inserting “designed to re-  
14               duce known risk factors for juvenile delinquent behav-  
15               ior, provides activities that build on protective factors  
16               for, and develop competencies in, juveniles to prevent,  
17               and reduce the rate of, delinquent juvenile behavior”,

18               (2) in paragraph (4) by inserting “title I of” be-  
19               fore “the Omnibus” each place it appears,

20               (3) in paragraph (7) by striking “the Trust Ter-  
21               ritory of the Pacific Islands,”,

22               (4) in paragraph (12)(B) by striking “, of any  
23               nonoffender,”,

24               (5) in paragraph (13)(B) by striking “, any  
25               nonoffender,”,

1           (6) in paragraph (14) by inserting “drug traf-  
2       ficking,” after “assault,”

3           (7) in paragraph (16)—

4               (A) in subparagraph (A) by adding “and”  
5       at the end, and

6               (B) by striking subparagraph (C),

7           (8) in paragraph (22)—

8               (A) by redesignating subparagraphs (i),  
9       (ii), and (iii) as subparagraphs (A), (B), and  
10      (C), respectively, and

11              (B) by striking “and” at the end,

12           (9) in paragraph (23) by striking the period at  
13      the end and inserting a semicolon, and

14           (10) by adding at the end the following:

15           “(24) the term ‘graduated sanctions’ means an  
16      accountability-based, graduated series of sanctions  
17      (including incentives, treatment, and services) appli-  
18      cable to juveniles within the juvenile justice system to  
19      hold such juveniles accountable for their actions and  
20      to protect communities from the effects of juvenile de-  
21      linquency by providing appropriate sanctions for  
22      every act for which a juvenile is adjudicated delin-  
23      quent, by inducing their law-abiding behavior, and  
24      by preventing their subsequent involvement with the  
25      juvenile justice system;



1           “(25) the term ‘prohibited physical contact’  
2       *means—*

3                       “(i) any physical contact between a ju-  
4                       venile and an adult inmate; and

5                       “(ii) proximity that provides an op-  
6                       portunity for physical contact between a ju-  
7                       venile and an adult inmate;

8           “(26) the term ‘sustained oral and visual con-  
9       *tact’ means the imparting or interchange of speech by*  
10       *or between an adult inmate and a juvenile, or clear*  
11       *visual contact between an adult inmate and a juve-*  
12       *nile in close proximity, but does not include—*

13                       “(A) brief communication or brief visual  
14                       contact that is accidental or incidental; or

15                       “(B) sounds or noises that cannot reason-  
16                       ably be considered to be speech;

17           “(27) the term ‘adult inmate’ means an indi-  
18       *vidual who—*

19                       “(A) has reached the age of full crimi-  
20                       nal responsibility under applicable State  
21                       law; and

22                       “(B) has been arrested and is in cus-  
23                       tody for or awaiting trial on a criminal  
24                       charge, or is convicted of a criminal offense;

25           “(28) the term ‘violent crime’ means—

1                   “(A) murder or nonnegligent manslaughter,  
2                   forcible rape, or robbery, or

3                   “(B) aggravated assault committed with the  
4                   use of a firearm;

5                   “(29) the term ‘collocated facilities’ means facili-  
6                   ties that are located in the same building, or are part  
7                   of a related complex of buildings located on the same  
8                   grounds; and

9                   “(30) the term ‘related complex of buildings’  
10                  means 2 or more buildings that share—

11                  “(A) physical features, such as walls and  
12                  fences, or services beyond mechanical services  
13                  (heating, air conditioning, water and sewer); or

14                  “(B) the specialized services that are allow-  
15                  able under section 31.303(e)(3)(i)(C)(3) of title  
16                  28 of the Code of Federal Regulations, as in ef-  
17                  fect on December 10, 1996.”.

18 **SEC. 5. CONCENTRATION OF FEDERAL EFFORT.**

19                  Section 204 of the Juvenile Justice and Delinquency  
20                  Prevention Act of 1974 (42 U.S.C. 5614) is amended—

21                  (1) in subsection (b)—

22                         (A) in paragraph (3) by striking “and of  
23                         the prospective” and all that follows through  
24                         “administered”,

1           (B) in paragraph (5) by striking “parts C  
2           and D” each place it appears and inserting  
3           “parts D and E”, and

4           (C) by amending paragraph (7) to read as  
5           follows:

6           “(7) not later than 1 year after the date of the  
7           enactment of this paragraph, issue model standards  
8           for providing mental health care to incarcerated juve-  
9           niles.”,

10          (2) in subsection (c) by striking “and reports”  
11          and all that follows through “this part”, and insert-  
12          ing “as may be appropriate to prevent the duplica-  
13          tion of efforts, and to coordinate activities, related to  
14          the prevention of juvenile delinquency”,

15          (3) by striking subsection (i), and

16          (4) by redesignating subsection (h) as subsection  
17          (f).

18 **SEC. 6. COORDINATING COUNCIL ON JUVENILE JUSTICE**

19 **AND DELINQUENCY PREVENTION.**

20          Section 206(c)(2)(B) of the *Juvenile Justice and Delin-*  
21 *quency Prevention Act of 1974* (42 U.S.C. 5616(c)(2)(B))  
22 is amended by striking “Education and Labor” and insert-  
23 ing “Education and the Workforce”.

1 **SEC. 7. ANNUAL REPORT.**

2        *Section 207 of the Juvenile Justice and Delinquency*  
 3 *Prevention Act of 1974 (42 U.S.C. 5617) is amended by*  
 4 *striking paragraphs (4) and (5), and inserting the fol-*  
 5 *lowing:*

6            *“(4) An evaluation of the programs funded*  
 7 *under this title and their effectiveness in reducing the*  
 8 *incidence of juvenile delinquency, particularly violent*  
 9 *crime, committed by juveniles.”.*

10 **SEC. 8. ALLOCATION.**

11        *Section 222 of the Juvenile Justice and Delinquency*  
 12 *Prevention Act of 1974 (42 U.S.C. 5632) is amended—*

13            *(1) in subsection (a)—*

14                    *(A) in paragraph (2)—*

15                            *(i) in subparagraph (A)—*

16                                    *(I) by striking “(other than parts*  
 17 *D and E)”,*

18                                    *(II) by striking “amount, up to*  
 19 *\$400,000,” and inserting “amount up*  
 20 *to \$400,000”,*

21                                    *(III) by striking “1992” the 1st*  
 22 *place it appears and inserting “2000”,*

23                                    *(IV) by striking “1992” the last*  
 24 *place it appears and inserting “2000”,*

25                                    *(V) by striking “the Trust Terri-*  
 26 *tory of the Pacific Islands,” and*

1                   (VI) by striking “amount, up to  
2                   \$100,000,” and inserting “amount up  
3                   to \$100,000”,

4                   (ii) in subparagraph (B)—

5                   (I) by striking “(other than part  
6                   D)”,

7                   (II) by striking “\$400,000” and  
8                   inserting “\$600,000”,

9                   (III) by striking “or such greater  
10                  amount, up to \$600,000” and all that  
11                  follows through “section 299(a) (1) and  
12                  (3)”,

13                  (IV) by striking “the Trust Terri-  
14                  tory of the Pacific Islands,”,

15                  (V) by striking “amount, up to  
16                  \$100,000,” and inserting “amount up  
17                  to \$100,000”, and

18                  (VI) by striking “1992” and in-  
19                  serting “2000”,

20                  (B) in paragraph (3)—

21                  (i) by striking “allot” and inserting  
22                  “allocate”, and

23                  (ii) by striking “1992” each place it  
24                  appears and inserting “2000”, and

1           (2) *in subsection (b) by striking “the Trust Ter-*  
 2           *ritory of the Pacific Islands,”.*

3 **SEC. 9. STATE PLANS.**

4           *Section 223 of the Juvenile Justice and Delinquency*  
 5           *Prevention Act of 1974 (42 U.S.C. 5633) is amended—*

6           (1) *in subsection (a)—*

7                   (A) *in the 2d sentence by striking “and*  
 8                   *challenge” and all that follows through “part E”,*  
 9                   *and inserting “, projects, and activities”,*

10                   (B) *in paragraph (3)—*

11                           (i) *by striking “, which—” and insert-*  
 12                           *ing “that—”,*

13                           (ii) *in subparagraph (A)—*

14                                   (I) *by striking “not less” and all*  
 15                                   *that follows through “33”, and insert-*  
 16                                   *ing “the attorney general of the State*  
 17                                   *or such other State official who has*  
 18                                   *primary responsibility for overseeing*  
 19                                   *the enforcement of State criminal laws,*  
 20                                   *and”,*

21                                   (II) *by inserting “, in consulta-*  
 22                                   *tion with the attorney general of the*  
 23                                   *State or such other State official who*  
 24                                   *has primary responsibility for over-*

1           *seeing the enforcement of State criminal*  
2           *laws” after “State”,*

3                     *(III) in clause (i) by striking “or*  
4                     *the administration of juvenile justice”*  
5                     *and inserting “, the administration of*  
6                     *juvenile justice, or the reduction of juvenile*  
7                     *delinquency”,*

8                     *(IV) in clause (ii) by striking “include—”*  
9                     *and all that follows through*  
10                    *the semicolon at the end of subclause*  
11                    *(VIII), and inserting the following:*  
12                    *“represent a multidisciplinary approach to*  
13                    *addressing juvenile delinquency and may*  
14                    *include—*

15                    *“(I) individuals who represent*  
16                    *units of general local government, law*  
17                    *enforcement and juvenile justice agen-*  
18                    *cies, public agencies concerned with the*  
19                    *prevention and treatment of juvenile*  
20                    *delinquency and with the adjudication*  
21                    *of juveniles, juveniles, or nonprofit pri-*  
22                    *ate organizations, particularly such*  
23                    *organizations that serve juveniles; and*

1                   “(II) such other individuals as the  
2                   chief executive officer considers to be  
3                   appropriate; and”, and

4                   (V) by striking clauses (iv) and  
5                   (v),  
6                   (iii) in subparagraph (D)—

7                   (I) in clause (i) by inserting  
8                   “and” at the end,

9                   (II) in clause (ii) by striking  
10                  “paragraphs” and all that follows  
11                  through “part E”, and inserting  
12                  “paragraphs (11), (12), and (13)”, and

13                  (III) by striking clause (iii), and  
14                  (iv) in subparagraph (E) by striking  
15                  “title—” and all that follows through “(ii)”  
16                  and inserting “title,”,  
17                  (C) in paragraph (5)—

18                  (i) in the matter preceding subpara-  
19                  graph (A) by striking “, other than” and  
20                  inserting “reduced by the percentage (if  
21                  any) specified by the State under the au-  
22                  thority of paragraph (25) and excluding”,  
23                  and

24                  (ii) in subparagraph (C) by striking  
25                  “paragraphs (12)(A), (13), and (14)” and



1                   inserting “paragraphs (11), (12), and  
2                   (13)”,

3                   (D) by striking paragraph (6),

4                   (E) in paragraph (7) by inserting “, in-  
5                   cluding in rural areas” before the semicolon at  
6                   the end,

7                   (F) in paragraph (8)—

8                   (i) in subparagraph (A)—

9                   (I) by striking “for (i)” and all  
10                  that follows through “relevant jurisdic-  
11                  tion”, and inserting “for an analysis  
12                  of juvenile delinquency problems in,  
13                  and the juvenile delinquency control  
14                  and delinquency prevention needs (in-  
15                  cluding educational needs) of, the  
16                  State”, and

17                  (II) by striking “of the jurisdic-  
18                  tion; (ii)” and all that follows through  
19                  the semicolon at the end, and inserting  
20                  “of the State; and”,

21                  (ii) by amending subparagraph (B) to  
22                  read as follows:

23                  “(B) contain—

1           “(i) a plan for providing needed gender-spe-  
2           cific services for the prevention and treatment of  
3           juvenile delinquency;

4           “(ii) a plan for providing needed services  
5           for the prevention and treatment of juvenile de-  
6           linquency in rural areas; and

7           “(iii) a plan for providing needed mental  
8           health services to juveniles in the juvenile justice  
9           system, including information on how such plan  
10          is being implemented and how such services will  
11          be targeted to those juveniles in such system who  
12          are in greatest need of such services;”, and

13                 (iii) by striking subparagraphs (C)  
14                 and (D),

15                 (G) by amending paragraph (9) to read as  
16          follows:

17                 “(9) provide for the coordination and maximum  
18                 utilization of existing juvenile delinquency programs,  
19                 programs operated by public and private agencies  
20                 and organizations, and other related programs (such  
21                 as education, special education, recreation, health,  
22                 and welfare programs) in the State;”,

23                 (H) in paragraph (10)—

24                         (i) in subparagraph (A)—

1                   (I) by striking “, specifically”  
2                   and inserting “including”,

3                   (II) by striking clause (i), and

4                   (III) redesignating clauses (ii)  
5                   and (iii) as clauses (i) and (ii), respec-  
6                   tively,

7                   (ii) by amending subparagraph (D) to  
8                   read as follows:

9                   “(D) programs that provide treatment to ju-  
10                  venile offenders who are victims of child abuse or  
11                  neglect, and to their families, in order to reduce  
12                  the likelihood that such juvenile offenders will  
13                  commit subsequent violations of law;”,

14                  (iii) in subparagraph (E)—

15                  (I) by redesignating clause (ii) as  
16                  clause (iii), and

17                  (II) by striking “juveniles, pro-  
18                  vided” and all that follows through  
19                  “provides; and”, and inserting the fol-  
20                  lowing:

21                  “juveniles—

22                  “(i) to encourage juveniles to remain  
23                  in elementary and secondary schools or in  
24                  alternative learning situations;

1                   “(ii) to provide services to assist juve-  
2                   niles in making the transition to the world  
3                   of work and self-sufficiency; and”,

4                   (iv) by amending subparagraph (F) to  
5                   read as follows:

6                   “(F) expanding the use of probation offi-  
7                   cers—

8                   “(i) particularly for the purpose of  
9                   permitting nonviolent juvenile offenders (in-  
10                  cluding status offenders) to remain at home  
11                  with their families as an alternative to in-  
12                  carceration or institutionalization; and

13                  “(ii) to ensure that juveniles follow the  
14                  terms of their probation;”,

15                  (v) by amending subparagraph (G) to  
16                  read as follows:

17                  “(G) one-on-one mentoring programs that  
18                  are designed to link at-risk juveniles and juvenile  
19                  offenders, particularly juveniles residing in high-  
20                  crime areas and juveniles experiencing edu-  
21                  cational failure, with responsible adults (such as  
22                  law enforcement officers, Department of Defense  
23                  personnel, adults working with local businesses,  
24                  and adults working with community-based orga-

1           nizations and agencies) who are properly  
2           screened and trained;”,

3                   (vii) in subparagraph (H) by striking  
4           “handicapped youth” and inserting “juve-  
5           niles with disabilities”,

6                   (viii) by striking subparagraph (K),

7                   (ix) in subparagraph (L)—

8                           (I) in clause (iv) by adding “and”  
9           at the end,

10                   (II) in clause (v) by striking  
11           “and” at the end, and

12                   (III) by striking clause (vi),

13                   (x) in subparagraph (M) by striking  
14           “boot camps”,

15                   (xi) by amending subparagraph (N) to  
16           read as follows:

17                   “(N) community-based programs and serv-  
18           ices to work with juveniles, their parents, and  
19           other family members during and after incarcer-  
20           ation in order to strengthen families so that such  
21           juveniles may be retained in their homes;”,

22                   (xii) in subparagraph (O)—

23                           (I) in striking “cultural” and in-  
24           serting “other”, and

1                   (II) by striking the period at the  
2                   end and inserting a semicolon,  
3                   (xiii) by redesignating subparagraphs  
4                   (L), (M), (N), and (O) as subparagraphs  
5                   (K), (L), (M), and (N), respectively; and  
6                   (xiv) by adding at the end the fol-  
7                   lowing:

8                   “(O) programs designed to prevent and to  
9                   reduce hate crimes committed by juveniles;

10                  “(P) after-school programs that provide at-  
11                  risk juveniles and juveniles in the juvenile justice  
12                  system with a range of age-appropriate activi-  
13                  ties, including tutoring, mentoring, and other  
14                  educational and enrichment activities;

15                  “(Q) community-based programs that pro-  
16                  vide follow-up post-placement services to adju-  
17                  dicated juveniles, to promote successful reintegration  
18                  into the community;

19                  “(R) projects designed to develop and imple-  
20                  ment programs to protect the rights of juveniles  
21                  affected by the juvenile justice system; and

22                  “(S) programs designed to provide mental  
23                  health services for incarcerated juveniles sus-  
24                  pected to be in need of such services, including

1           *assessment, development of individualized treat-*  
2           *ment plans, and discharge plans.”,*

3           *(I) by amending paragraph (12) to read as*  
4           *follows:*

5           *“(12) shall, in accordance with rules issued by*  
6           *the Administrator, provide that—*

7                   *“(A) juveniles who are charged with or who*  
8                   *have committed an offense that would not be*  
9                   *criminal if committed by an adult, excluding—*

10                           *“(i) juveniles who are charged with or*  
11                           *who have committed a violation of section*  
12                           *922(x)(2) of title 18, United States Code, or*  
13                           *of a similar State law;*

14                           *“(ii) juveniles who are charged with or*  
15                           *who have committed a violation of a valid*  
16                           *court order; and*

17                           *“(iii) juveniles who are held in accord-*  
18                           *ance with the Interstate Compact on Juve-*  
19                           *niles as enacted by the State;*

20                   *shall not be placed in secure detention facilities*  
21                   *or secure correctional facilities; and*

22                   *“(B) juveniles—*

23                           *“(i) who are not charged with any of-*  
24                           *fense; and*

25                           *“(ii) who are—*

1                   “(I) aliens; or

2                   “(II) alleged to be dependent, ne-  
3                   glected, or abused;

4                   shall not be placed in secure detention facilities  
5                   or secure correctional facilities;”,

6                   (J) by amending paragraph (13) to read as  
7                   follows:

8                   “(13) provide that—

9                   “(A) juveniles alleged to be or found to be  
10                  delinquent or juveniles within the purview of  
11                  paragraph (11) will not be detained or confined  
12                  in any institution in which they have prohibited  
13                  physical contact or sustained oral and visual  
14                  contact with adult inmates; and

15                  “(B) there is in effect in the State a policy  
16                  that requires individuals who work with both  
17                  such juveniles and such adult inmates, including  
18                  in colocated facilities, have been trained and  
19                  certified to work with juveniles;”,

20                  (K) by amending paragraph (14) to read as  
21                  follows:

22                  “(14) provide that no juvenile will be detained or  
23                  confined in any jail or lockup for adults except—



1           “(A) juveniles who are accused of nonstatus  
2           offenses and who are detained in such jail or  
3           lockup for a period not to exceed 6 hours—

4                   “(i) for processing or release;

5                   “(ii) while awaiting transfer to a juve-  
6           nile facility; or

7                   “(iii) in which period such juveniles  
8           make a court appearance;

9           and only if such juveniles do not have prohibited  
10          physical contact or sustained oral and visual  
11          contact with adults inmates and only if there is  
12          in effect in the State a policy that requires indi-  
13          viduals who work with both such juveniles and  
14          adult inmates in colocated facilities have been  
15          trained and certified to work with juveniles;

16          “(B) juveniles who are accused of nonstatus  
17          offenses, who are awaiting an initial court ap-  
18          pearance that will occur within 48 hours after  
19          being taken into custody (excluding Saturdays,  
20          Sundays, and legal holidays), and who are de-  
21          tained in a jail or lockup—

22                   “(i) in which—

23                   “(I) such juveniles do not have  
24           prohibited physical contact or sus-

1           *tained oral and visual contact with*  
2           *adults inmates; and*

3                     *“(II) there is in effect in the State*  
4           *a policy that requires individuals who*  
5           *work with both such juveniles and*  
6           *adults inmates in colocated facilities*  
7           *have been trained and certified to work*  
8           *with juveniles; and*

9           *“(ii) that—*

10                    *“(I) is located outside a metro-*  
11           *politan statistical area (as defined by*  
12           *the Office of Management and Budget)*  
13           *and has no existing acceptable alter-*  
14           *native placement available;*

15                    *“(II) is located where conditions*  
16           *of distance to be traveled or the lack of*  
17           *highway, road, or transportation do*  
18           *not allow for court appearances within*  
19           *48 hours (excluding Saturdays, Sun-*  
20           *days, and legal holidays) so that a*  
21           *brief (not to exceed an additional 48*  
22           *hours) delay is excusable; or*

23                    *“(III) is located where conditions*  
24           *of safety exist (such as severe adverse,*  
25           *life-threatening weather conditions that*

1                   do not allow for reasonably safe trav-  
2                   el), in which case the time for an ap-  
3                   pearance may be delayed until 24  
4                   hours after the time that such condi-  
5                   tions allow for reasonable safe travel;

6                   “(C) juveniles who are accused of nonstatus  
7                   offenses and who are detained not to exceed 20  
8                   days in a jail or lockup that satisfies the require-  
9                   ments of subparagraph (B)(i) if—

10                   “(i) such jail or lockup—

11                   “(I) is located outside a metro-  
12                   politan statistical area (as defined by  
13                   the Office of Management and Budget);  
14                   and

15                   “(II) has no existing acceptable  
16                   alternative placement available;

17                   “(ii) a parent or other legal guardian  
18                   (or guardian ad litem) of the juvenile in-  
19                   volved, in consultation with the counsel rep-  
20                   resenting the juvenile, consents to detaining  
21                   such juvenile in accordance with this sub-  
22                   paragraph and has the right to revoke such  
23                   consent at any time;

24                   “(iii) the juvenile has counsel, and the  
25                   counsel representing such juvenile—

1           “(I) consults with the parents of  
2           the juvenile to determine the appro-  
3           priate placement of the juvenile; and

4           “(II) has an opportunity to  
5           present the juvenile’s position regard-  
6           ing the detention involved to the court  
7           before the court approves such deten-  
8           tion;

9           “(iv) the court hears from the juvenile  
10          before court approval of such placement;  
11          and

12          “(v) detaining such juvenile in accord-  
13          ance with this subparagraph is—

14               “(I) approved in advance by a  
15               court with competent jurisdiction that  
16               has determined that such placement is  
17               in the best interest of such juvenile;  
18               and

19               “(II) required to be reviewed peri-  
20               odically and in the presence of the ju-  
21               venile, at intervals of not more than 5  
22               days (excluding Saturdays, Sundays,  
23               and legal holidays), by such court for  
24               the duration of detention;”,

25          (L) in paragraph (15)—

1                   (i) by striking “paragraph (12)(A),  
 2                   paragraph (13), and paragraph (14)” and  
 3                   inserting “paragraphs (11), (12), and  
 4                   (13)”, and

5                   (ii) by striking “paragraph (12)(A)  
 6                   and paragraph (13)” and inserting “para-  
 7                   graphs (11) and (12)”,

8                   (M) in paragraph (16) by striking “men-  
 9                   tally, emotionally, or physically handicapping  
 10                  conditions” and inserting “disability”,

11                  (N) by amending paragraph (19) to read as  
 12                  follows:

13                  “(19) provide assurances that—

14                         “(A) any assistance provided under this Act  
 15                         will not cause the displacement (including a  
 16                         partial displacement, such as a reduction in the  
 17                         hours of nonovertime work, wages, or employ-  
 18                         ment benefits) of any currently employed em-  
 19                         ployee;

20                         “(B) activities assisted under this Act will  
 21                         not impair an existing collective bargaining re-  
 22                         lationship, contract for services, or collective bar-  
 23                         gaining agreement; and

24                         “(C) no such activity that would be incon-  
 25                         sistent with the terms of a collective bargaining

1       *agreement shall be undertaken without the writ-*  
2       *ten concurrence of the labor organization in-*  
3       *volved;”*,

4               *(O) by amending paragraph (22) to read as*  
5       *follows:*

6       *“(22) provide that the State agency designated*  
7       *under paragraph (1) will—*

8               *“(A) to the extent practicable give priority*  
9       *in funding to programs and activities that are*  
10       *based on rigorous, systematic, and objective re-*  
11       *search that is scientifically based;*

12              *“(B) from time to time, but not less than*  
13       *annually, review its plan and submit to the Ad-*  
14       *ministrator an analysis and evaluation of the ef-*  
15       *fectiveness of the programs and activities carried*  
16       *out under the plan, and any modifications in the*  
17       *plan, including the survey of State and local*  
18       *needs, that it considers necessary; and*

19              *“(C) not expend funds to carry out a pro-*  
20       *gram if the recipient of funds who carried out*  
21       *such program during the preceding 2-year period*  
22       *fails to demonstrate, before the expiration of such*  
23       *2-year period, that such program achieved sub-*  
24       *stantial success in achieving the goals specified*

1           *in the application submitted by such recipient to*  
2           *the State agency;”,*

3           *(P) by amending paragraph (23) to read as*  
4           *follows:*

5           *“(23) address juvenile delinquency prevention ef-*  
6           *forts and system improvement efforts designed to re-*  
7           *duce, without establishing or requiring numerical*  
8           *standards or quotas, the disproportionate number of*  
9           *juvenile members of minority groups, who come into*  
10          *contact with the juvenile justice system;”,*

11          *(Q) by amending paragraph (24) to read as*  
12          *follows:*

13          *“(24) provide that if a juvenile is taken into cus-*  
14          *tody for violating a valid court order issued for com-*  
15          *mitting a status offense—*

16                 *“(A) an appropriate public agency shall be*  
17                 *promptly notified that such juvenile is held in*  
18                 *custody for violating such order;*

19                 *“(B) not later than 24 hours during which*  
20                 *such juvenile is so held, an authorized represent-*  
21                 *ative of such agency shall interview, in person,*  
22                 *such juvenile; and*

23                 *“(C) not later than 48 hours during which*  
24                 *such juvenile is so held—*

1                   “(i) such representative shall submit  
 2                   an assessment to the court that issued such  
 3                   order, regarding the immediate needs of  
 4                   such juvenile; and

5                   “(ii) such court shall conduct a hear-  
 6                   ing to determine—

7                   “(I) whether there is reasonable  
 8                   cause to believe that such juvenile vio-  
 9                   lated such order; and

10                  “(II) the appropriate placement of  
 11                  such juvenile pending disposition of the  
 12                  violation alleged;”,

13                  (R) in paragraph (25)—

14                  (i) by striking “1992” and inserting  
 15                  “2000”, and

16                  (ii) by striking the period at the end  
 17                  and inserting a semicolon,

18                  (S) by redesignating paragraphs (7)  
 19                  through (25) as paragraphs (6) through (24), re-  
 20                  spectively, and

21                  (T) by adding at the end the following:

22                  “(25) specify a percentage (if any), not to exceed  
 23                  5 percent, of funds received by the State under section  
 24                  222 (other than funds made available to the State ad-  
 25                  visory group under section 222(d)) that the State will



1       *reserve for expenditure by the State to provide incen-*  
2       *tive grants to units of general local government that*  
3       *reduce the caseload of probation officers within such*  
4       *units;*

5               *“(26) provide that the State, to the maximum*  
6       *extent practicable, will implement a system to ensure*  
7       *that if a juvenile is before a court in the juvenile jus-*  
8       *tice system, public child welfare records (including*  
9       *child protective services records) relating to such juve-*  
10       *nile that are on file in the geographical area under*  
11       *the jurisdiction of such court will be made known to*  
12       *such court;*

13               *“(27) establish policies and systems to incor-*  
14       *porate relevant child protective services records into*  
15       *juvenile justice records for purposes of establishing*  
16       *and implementing treatment plans for juvenile of-*  
17       *fenders; and*

18               *“(28) provide assurances that juvenile offenders*  
19       *whose placement is funded through section 472 of the*  
20       *Social Security Act (42 U.S.C. 672) receive the pro-*  
21       *tections specified in section 471 of such Act (42*  
22       *U.S.C. 671), including a case plan and case plan re-*  
23       *view as defined in section 475 of such Act (42 U.S.C.*  
24       *675).”,*

1           (2) *by amending subsection (c) to read as fol-*  
2       *lows:*

3           “(c) *If a State fails to comply with any of the applica-*  
4       *ble requirements of paragraphs (11), (12), (13), and (22)*  
5       *of subsection (a) in any fiscal year beginning after Sep-*  
6       *tember 30, 2001, then—*

7           “(1) *subject to paragraph (2), the amount allo-*  
8       *cated to such State under section 222 for the subse-*  
9       *quent fiscal year shall be reduced by not less than*  
10       *12.5 percent for each such paragraph with respect to*  
11       *which the failure occurs, and*

12           “(2) *the State shall be ineligible to receive any*  
13       *allocation under such section for such fiscal year un-*  
14       *less—*

15           “(A) *the State agrees to expend 50 percent*  
16       *of the amount allocated to the State for such fis-*  
17       *cal year to achieve compliance with any such*  
18       *paragraph with respect to which the State is in*  
19       *noncompliance; or*

20           “(B) *the Administrator determines that the*  
21       *State—*

22           “(i) *has achieved substantial compli-*  
23       *ance with such applicable requirements*  
24       *with respect to which the State was not in*  
25       *compliance; and*

7 (A) by striking “allotment” and inserting  
8 “allocation”, and

13                    (4) *by adding at the end the following:*

21 SEC. 10. JUVENILE DELINQUENCY PREVENTION BLOCK

23        *Title II of the Juvenile Justice and Delinquency Pre-*  
24        *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—*

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1           (2) *by striking the 1st part I,*

2           (3) *by redesignating the 2d part I as part F,*

3           *and*

4           (4) *by inserting after part B the following:*

5   **“PART C—JUVENILE DELINQUENCY PREVENTION**

6                       **BLOCK GRANT PROGRAM**

7   **“SEC. 241. AUTHORITY TO MAKE GRANTS.**

8           “(a) *GRANTS TO ELIGIBLE STATES.—The Adminis-*  
 9           *trator may make grants to eligible States, from funds allo-*  
 10           *cated under section 242, for the purpose of providing finan-*  
 11           *cial assistance to eligible entities to carry out projects de-*  
 12           *signed to prevent juvenile delinquency, including—*

13               “(1) *projects that provide treatment (including*  
 14           *treatment for mental health problems) to juvenile of-*  
 15           *fenders, and juveniles who are at risk of becoming ju-*  
 16           *venile offenders, who are victims of child abuse or ne-*  
 17           *glect or who have experienced violence in their homes,*  
 18           *at school, or in the community, and to their families,*  
 19           *in order to reduce the likelihood that such juveniles*  
 20           *will commit violations of law;*

21               “(2) *educational projects or supportive services*  
 22           *for delinquent or other juveniles—*

23                       “(A) *to encourage juveniles to remain in el-*  
 24           *ementary and secondary schools or in alternative*  
 25           *learning situations in educational settings;*

1           “(B) to provide services to assist juveniles  
2           in making the transition to the world of work  
3           and self-sufficiency;

4           “(C) to assist in identifying learning dif-  
5           ficulties (including learning disabilities);

6           “(D) to prevent unwarranted and arbitrary  
7           suspensions and expulsions;

8           “(E) to encourage new approaches and tech-  
9           niques with respect to the prevention of school vi-  
10          olence and vandalism;

11          “(F) which assist law enforcement personnel  
12          and juvenile justice personnel to more effectively  
13          recognize and provide for learning-disabled and  
14          other juveniles with disabilities;

15          “(G) which develop locally coordinated poli-  
16          cies and programs among education, juvenile  
17          justice, and social service agencies; or

18          “(H) to provide services to juveniles with se-  
19          rious mental and emotional disturbances (SED)  
20          in need of mental health services;

21          “(3) projects which expand the use of probation  
22          officers—

23                 “(A) particularly for the purpose of permit-  
24                 ting nonviolent juvenile offenders (including sta-  
25                 tus offenders) to remain at home with their fam-

1            *ilies as an alternative to incarceration or insti-*  
2            *tutionalization; and*

3            *“(B) to ensure that juveniles follow the*  
4            *terms of their probation;*

5            *“(4) one-on-one mentoring projects that are de-*  
6            *signed to link at-risk juveniles and juvenile offenders*  
7            *who did not commit serious crime, particularly juve-*  
8            *niles residing in high-crime areas and juveniles expe-*  
9            *riencing educational failure, with responsible adults*  
10           *(such as law enforcement officers, adults working with*  
11           *local businesses, and adults working for community-*  
12           *based organizations and agencies) who are properly*  
13           *screened and trained;*

14           *“(5) community-based projects and services (in-*  
15           *cluding literacy and social service programs) which*  
16           *work with juvenile offenders and juveniles who are at*  
17           *risk of becoming juvenile offenders, including those*  
18           *from families with limited English-speaking pro-*  
19           *ficiency, their parents, their siblings, and other fam-*  
20           *ily members during and after incarceration of the ju-*  
21           *venile offenders, in order to strengthen families, to*  
22           *allow juvenile offenders to be retained in their homes,*  
23           *and to prevent the involvement of other juvenile fam-*  
24           *ily members in delinquent activities;*

1           “(6) projects designed to provide for the treat-  
2           ment (including mental health services) of juveniles  
3           for dependence on or abuse of alcohol, drugs, or other  
4           harmful substances;

5           “(7) projects which leverage funds to provide  
6           scholarships for postsecondary education and training  
7           for low-income juveniles who reside in neighborhoods  
8           with high rates of poverty, violence, and drug-related  
9           crimes;

10          “(8) projects which provide for an initial intake  
11          screening of each juvenile taken into custody—

12                 “(A) to determine the likelihood that such  
13                 juvenile will commit a subsequent offense; and

14                 “(B) to provide appropriate interventions  
15                 (including mental health services) to prevent  
16                 such juvenile from committing subsequent of-  
17                 fenses;

18          “(9) projects (including school- or community-  
19          based projects) that are designed to prevent, and re-  
20          duce the rate of, the participation of juveniles in  
21          gangs that commit crimes (particularly violent  
22          crimes), that unlawfully use firearms and other weap-  
23          ons, or that unlawfully traffic in drugs and that in-  
24          volve, to the extent practicable, families and other  
25          community members (including law enforcement per-

1       sonnel and members of the business community) in  
2       the activities conducted under such projects;

3               “(10) comprehensive juvenile justice and delin-  
4       quency prevention projects that meet the needs of ju-  
5       veniles through the collaboration of the many local  
6       service systems juveniles encounter, including schools,  
7       courts, law enforcement agencies, child protection  
8       agencies, mental health agencies, welfare services,  
9       health care agencies (including collaboration on ap-  
10      propriate prenatal care for pregnant juvenile offend-  
11      ers), private nonprofit agencies, and public recreation  
12      agencies offering services to juveniles;

13              “(11) to develop, implement, and support, in  
14      conjunction with public and private agencies, organi-  
15      zations, and businesses, projects for the employment of  
16      juveniles and referral to job training programs (in-  
17      cluding referral to Federal job training programs);

18              “(12) delinquency prevention activities which in-  
19      volve youth clubs, sports, recreation and parks, peer  
20      counseling and teaching, the arts, leadership develop-  
21      ment, community service, volunteer service, before-  
22      and after-school programs, violence prevention activi-  
23      ties, mediation skills training, camping, environ-  
24      mental education, ethnic or cultural enrichment, tu-  
25      toring, and academic enrichment;



1           “(13) to establish policies and systems to incor-  
2       porate relevant child protective services records into  
3       juvenile justice records for purposes of establishing  
4       treatment plans for juvenile offenders;

5           “(14) programs that encourage social com-  
6       petencies, problem-solving skills, and communication  
7       skills, youth leadership, and civic involvement;

8           “(15) programs that focus on the needs of young  
9       girls at-risk of delinquency or status offenses;

10          “(16) projects which provide for—

11               “(A) an assessment by a qualified mental  
12       health professional of incarcerated juveniles who  
13       are suspected to be in need of mental health serv-  
14       ices;

15               “(B) the development of an individualized  
16       treatment plan for those incarcerated juveniles  
17       determined to be in need of such services;

18               “(C) the inclusion of a discharge plan for  
19       incarcerated juveniles receiving mental health  
20       services that addresses aftercare services; and

21               “(D) all juveniles receiving psychotropic  
22       medications to be under the care of a licensed  
23       mental health professional;

24          “(17) after-school programs that provide at-risk  
25       juveniles and juveniles in the juvenile justice system

1       *with a range of age-appropriate activities, including*  
2       *tutoring, mentoring, and other educational and en-*  
3       *richment activities;*

4               “(18) programs related to the establishment and  
5       *maintenance of a school violence hotline, based on a*  
6       *public-private partnership, that students and parents*  
7       *can use to report suspicious, violent, or threatening*  
8       *behavior to local school and law enforcement authori-*  
9       *ties;*

10              “(19) programs (excluding programs to purchase  
11       *guns from juveniles) designed to reduce the unlawful*  
12       *acquisition and illegal use of guns by juveniles, in-*  
13       *cluding partnerships between law enforcement agen-*  
14       *cies, health professionals, school officials, firearms*  
15       *manufacturers, consumer groups, faith-based groups*  
16       *and community organizations;*

17              “(20) programs designed to prevent animal cru-  
18       *elty by juveniles and to counsel juveniles who commit*  
19       *animal cruelty offenses, including partnerships*  
20       *among law enforcement agencies, animal control offi-*  
21       *cers, social services agencies, and school officials;*

22              “(21) programs that provide suicide prevention  
23       *services for incarcerated juveniles and for juveniles*  
24       *leaving the incarceration system;*

1           “(22) programs to establish partnerships between  
2       State educational agencies and local educational  
3       agencies for the design and implementation of char-  
4       acter education and training programs that reflect the  
5       values of parents, teachers, and local communities,  
6       and incorporate elements of good character, including  
7       honesty, citizenship, courage, justice, respect, personal  
8       responsibility, and trustworthiness;

9           “(23) programs that foster strong character de-  
10      velopment in at-risk juveniles and juveniles in the ju-  
11      venile justice system;

12          “(24) local programs that provide for immediate  
13      psychological evaluation and follow-up treatment (in-  
14      cluding evaluation and treatment during a manda-  
15      tory holding period for not less than 24 hours) for ju-  
16      veniles who bring a gun on school grounds without  
17      permission from appropriate school authorities; and

18          “(25) other activities that are likely to prevent  
19      juvenile delinquency.

20          “(b) GRANTS TO ELIGIBLE INDIAN TRIBES.—The Ad-  
21      ministrators may make grants to eligible Indian tribes from  
22      funds allocated under section 242(b), to carry out projects  
23      of the kinds described in subsection (a).

1 **“SEC. 242. ALLOCATION.**

2 “(a) *ALLOCATION AMONG ELIGIBLE STATES.*—Subject  
3 to subsection (b), funds appropriated to carry out this part  
4 shall be allocated among eligible States proportionately  
5 based on the population that is less than 18 years of age  
6 in the eligible States.

7 “(b) *ALLOCATION AMONG INDIAN TRIBES COLLEC-*  
8 *TIVELY.*—Before allocating funds under subsection (a)  
9 among eligible States, the Administrator shall allocate  
10 among eligible Indian tribes as determined under section  
11 246(a), an aggregate amount equal to the amount such  
12 tribes would be allocated under subsection (a), and without  
13 regard to this subsection, if such tribes were treated collec-  
14 tively as an eligible State.

15 **“SEC. 243. ELIGIBILITY OF STATES.**

16 “(a) *APPLICATION.*—To be eligible to receive a grant  
17 under section 241, a State shall submit to the Adminis-  
18 trator an application that contains the following:

19 “(1) *An assurance that the State will use—*

20 “(A) *not more than 5 percent of such grant,*  
21 *in the aggregate, for—*

22 “(i) *the costs incurred by the State to*  
23 *carry out this part; and*

24 “(ii) *to evaluate, and provide technical*  
25 *assistance relating to, projects and activities*

1                   *carried out with funds provided under this*  
2                   *part; and*

3                   *“(B) the remainder of such grant to make*  
4                   *grants under section 244.*

5                   *“(2) An assurance that, and a detailed descrip-*  
6                   *tion of how, such grant will supplement, and not sup-*  
7                   *plant State and local efforts to prevent juvenile delin-*  
8                   *quency.*

9                   *“(3) An assurance that such application was*  
10                  *prepared after consultation with and participation by*  
11                  *the State advisory group, community-based organiza-*  
12                  *tions, and organizations in the local juvenile justice*  
13                  *system, that carry out programs, projects, or activi-*  
14                  *ties to prevent juvenile delinquency.*

15                  *“(4) An assurance that the State advisory group*  
16                  *will be afforded the opportunity to review and com-*  
17                  *ment on all grant applications submitted to the State*  
18                  *agency.*

19                  *“(5) An assurance that each eligible entity de-*  
20                  *scribed in section 244 that receives an initial grant*  
21                  *under section 244 to carry out a project or activity*  
22                  *shall also receive an assurance from the State that*  
23                  *such entity will receive from the State, for the subse-*  
24                  *quent fiscal year to carry out such project or activity,*  
25                  *a grant under such section in an amount that is pro-*

1      *portional, based on such initial grant and on the*  
 2      *amount of the grant received under section 241 by the*  
 3      *State for such subsequent fiscal year, but that does*  
 4      *not exceed the amount specified for such subsequent*  
 5      *fiscal year in such application as approved by the*  
 6      *State.*

7            *“(6) Such other information and assurances as*  
 8      *the Administrator may reasonably require by rule.*

9      *“(b) APPROVAL OF APPLICATIONS.—*

10            *“(1) APPROVAL REQUIRED.—Subject to para-*  
 11      *graph (2), the Administrator shall approve an appli-*  
 12      *cation, and amendments to such application sub-*  
 13      *mitted in subsequent fiscal years, that satisfy the re-*  
 14      *quirements of subsection (a).*

15            *“(2) LIMITATION.—The Administrator may not*  
 16      *approve such application (including amendments to*  
 17      *such application) for a fiscal year unless—*

18            *“(A)(i) the State submitted a plan under*  
 19      *section 223 for such fiscal year; and*

20            *“(ii) such plan is approved by the Adminis-*  
 21      *trator for such fiscal year; or*

22            *“(B) the Administrator waives the applica-*  
 23      *tion of subparagraph (A) to such State for such*  
 24      *fiscal year, after finding good cause for such a*  
 25      *waiver.*

1 **“SEC. 244. GRANTS FOR LOCAL PROJECTS.**

2       “(a) *GRANTS BY STATES.*—Using a grant received  
3 under section 241, a State may make grants to eligible enti-  
4 ties whose applications are received by the State, and re-  
5 viewed by the State advisory group, to carry out projects  
6 and activities described in section 241.

7       “(b) *SPECIAL CONSIDERATION.*—For purposes of mak-  
8 ing grants under subsection (a), the State shall give special  
9 consideration to eligible entities that—

10               “(1) propose to carry out such projects in geo-  
11 graphical areas in which there is—

12                       “(A) a disproportionately high level of seri-  
13 ous crime committed by juveniles; or

14                       “(B) a recent rapid increase in the number  
15 of nonstatus offenses committed by juveniles;

16               “(2)(A) agreed to carry out such projects or ac-  
17 tivities that are multidisciplinary and involve more  
18 than 2 private nonprofit agencies, organizations, and  
19 institutions that have experience dealing with juve-  
20 niles; or

21                       “(B) represent communities that have a com-  
22 prehensive plan designed to identify at-risk juveniles  
23 and to prevent or reduce the rate of juvenile delin-  
24 quency, and that involve other entities operated by in-  
25 dividuals who have a demonstrated history of involve-

1        *ment in activities designed to prevent juvenile delin-*  
 2        *quency; and*

3                *“(3) the amount of resources (in cash or in kind)*  
 4        *such entities will provide to carry out such projects*  
 5        *and activities.*

6    **“SEC. 245. ELIGIBILITY OF ENTITIES.**

7                *“(a) ELIGIBILITY.—Except as provided in subsection*  
 8        *(b), to be eligible to receive a grant under section 244, a*  
 9        *unit of general purpose local government, acting jointly*  
 10        *with not fewer than 2 private nonprofit agencies, organiza-*  
 11        *tions, and institutions that have experience dealing with*  
 12        *juveniles, shall submit to the State an application that con-*  
 13        *tains the following:*

14                *“(1) An assurance that such applicant will use*  
 15        *such grant, and each such grant received for the sub-*  
 16        *sequent fiscal year, to carry out throughout a 2-year*  
 17        *period a project or activity described in reasonable*  
 18        *detail, and of a kind described in one or more of*  
 19        *paragraphs (1) through (25) of section 241(a) as spec-*  
 20        *ified in, such application.*

21                *“(2) A statement of the particular goals such*  
 22        *project or activity is designed to achieve, and the*  
 23        *methods such entity will use to achieve, and assess the*  
 24        *achievement of, each of such goals.*



1           “(3) *A statement identifying the research (if*  
 2           *any) such entity relied on in preparing such applica-*  
 3           *tion.*

4           “(b) *LIMITATION.—If an eligible entity that receives*  
 5           *a grant under section 244 to carry out a project or activity*  
 6           *for a 2-year period, and receives technical assistance from*  
 7           *the State or the Administrator after requesting such tech-*  
 8           *nical assistance (if any), fails to demonstrate, before the ex-*  
 9           *piration of such 2-year period, that such project or such*  
 10           *activity has achieved substantial success in achieving the*  
 11           *goals specified in the application submitted by such entity*  
 12           *to receive such grants, then such entity shall not be eligible*  
 13           *to receive any subsequent grant under such section to con-*  
 14           *tinue to carry out such project or activity.*

15   **“SEC. 246. GRANTS TO INDIAN TRIBES.**

16           “(a) *ELIGIBILITY.—*

17           “(1) *APPLICATION.—To be eligible to receive a*  
 18           *grant under section 241(b), an Indian tribe shall sub-*  
 19           *mit to the Administrator an application in accord-*  
 20           *ance with this section, in such form and containing*  
 21           *such information as the Administrator may require*  
 22           *by rule.*

23           “(2) *PLANS.—Such application shall include a*  
 24           *plan for conducting programs, projects, and activities*  
 25           *described in section 241(a), which plan shall—*

1           “(A) provide evidence that the applicant In-  
2           dian tribe performs law enforcement functions  
3           (as determined by the Secretary of the Interior);

4           “(B) identify the juvenile justice and delin-  
5           quency problems and juvenile delinquency pre-  
6           vention needs to be addressed by activities con-  
7           ducted with funds provided by the grant for  
8           which such application is submitted, by the In-  
9           dian tribe in the geographical area under the ju-  
10          risdiction of the Indian tribe;

11          “(C) provide for fiscal control and account-  
12          ing procedures that—

13               “(i) are necessary to ensure the pru-  
14               dent use, proper disbursement, and account-  
15               ing of grants received by applicants under  
16               this section; and

17               “(ii) are consistent with the require-  
18               ment specified in subparagraph (B); and

19          “(D) comply with the requirements specified  
20          in section 223(a) (excluding any requirement re-  
21          lating to consultation with a State advisory  
22          group) and with the requirements specified in  
23          section 222(c); and

24          “(E) contain such other information, and be  
25          subject to such additional requirements, as the

1           Administrator may reasonably require by rule to  
 2           ensure the effectiveness of the projects for which  
 3           grants are made under section 241(b).

4           “(b) *FACTORS FOR CONSIDERATION.*—For the purpose  
 5 of selecting eligible applicants to receive grants under sec-  
 6 tion 241(b), the Administrator shall consider—

7           “(1) the resources that are available to each ap-  
 8 plicant Indian tribe that will assist, and be coordi-  
 9 nated with, the overall juvenile justice system of the  
 10 Indian tribe; and

11           “(2) with respect to each such applicant—

12           “(A) the juvenile population; and

13           “(B) the population and the entities that  
 14 will be served by projects proposed to be carried  
 15 out with the grant for which the application is  
 16 submitted.

17           “(c) *GRANT PROCESS.*—

18           “(1) *SELECTION OF GRANT RECIPIENTS.*—

19           “(A) *SELECTION REQUIREMENTS.*—*Except*  
 20 *as provided in paragraph (2), the Administrator*  
 21 *shall—*

22           “(i) make grants under this section on  
 23 a competitive basis; and

24           “(ii) specify in writing to each appli-  
 25 cant selected to receive a grant under this

1                    *section, the terms and conditions on which*  
2                    *such grant is made to such applicant.*

3                    *“(B) PERIOD OF GRANT.—A grant made*  
4                    *under this section shall be available for expendi-*  
5                    *ture during a 2-year period.*

6                    *“(2) EXCEPTION.—If—*

7                    *“(A) in the 2-year period for which a grant*  
8                    *made under this section shall be expended, the*  
9                    *recipient of such grant applies to receive a subse-*  
10                   *quent grant under this section; and*

11                   *“(B) the Administrator determines that*  
12                   *such recipient performed during the year pre-*  
13                   *ceding the 2-year period for which such recipi-*  
14                   *ent applies to receive such subsequent grant sat-*  
15                   *isfactorily and in accordance with the terms and*  
16                   *conditions applicable to the grant received;*

17                   *then the Administrator may waive the application of*  
18                   *the competition-based requirement specified in para-*  
19                   *graph (1)(A)(i) and may allow the applicant to in-*  
20                   *corporate by reference in the current application the*  
21                   *text of the plan contained in the recipient’s most re-*  
22                   *cent application previously approved under this sec-*  
23                   *tion.*

24                   *“(3) AUTHORITY TO MODIFY APPLICATION PROC-*  
25                   *ESS FOR SUBSEQUENT GRANTS.—The Administrator*

1        *may modify by rule the operation of subsection (a)*  
2        *with respect to the submission and contents of appli-*  
3        *cations for subsequent grants described in paragraph*  
4        *(2).*

5        *“(d) REPORTING REQUIREMENT.—Each Indian tribe*  
6        *that receives a grant under this section shall be subject to*  
7        *the fiscal accountability provisions of section 5(f)(1) of the*  
8        *Indian Self-Determination and Education Assistance Act*  
9        *(25 U.S.C. 450c(f)(1)), relating to the submission of a sin-*  
10       *gle-agency audit report required by chapter 75 of title 31,*  
11       *United States Code.*

12       *“(e) MATCHING REQUIREMENT.—(1) Funds appro-*  
13       *priated for the activities of any agency of an Indian tribal*  
14       *government or the Bureau of Indian Affairs performing law*  
15       *enforcement functions on any Indian lands may be used*  
16       *to provide the non-Federal share of any program or project*  
17       *with a matching requirement funded under this section.*

18       *“(2) Paragraph (1) shall not apply with respect to*  
19       *funds appropriated before the date of the enactment of the*  
20       *Juvenile Justice and Delinquency Prevention Act of 2001.*

21       *“(3) If the Administrator determines that an Indian*  
22       *tribe does not have sufficient funds available to meet the*  
23       *non-Federal share of the cost of any program or activity*  
24       *to be funded under the grant, the Administrator may in-*

1 *crease the Federal share of the cost thereof to the extent the*  
 2 *Administrator deems necessary.”.*

3 **SEC. 11. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE;**  
 4 **TRAINING.**

5 *Title II of the Juvenile Justice and Delinquency Pre-*  
 6 *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended*  
 7 *by inserting after part C, as added by section 10, the fol-*  
 8 *lowing:*

9 **“PART D—RESEARCH; EVALUATION; TECHNICAL**  
 10 **ASSISTANCE; TRAINING**

11 **“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL**  
 12 **ANALYSES; INFORMATION DISSEMINATION.**

13 *“(a) RESEARCH AND EVALUATION.—(1) The Adminis-*  
 14 *trator may—*

15 *“(A) plan and identify the purposes and goals of*  
 16 *all agreements carried out with funds provided under*  
 17 *this subsection; and*

18 *“(B) conduct research or evaluation in juvenile*  
 19 *justice matters, for the purpose of providing research*  
 20 *and evaluation relating to—*

21 *“(i) the prevention, reduction, and control*  
 22 *of juvenile delinquency and serious crime com-*  
 23 *mitted by juveniles;*

1           “(ii) the link between juvenile delinquency  
2           and the incarceration of members of the families  
3           of juveniles;

4           “(iii) successful efforts to prevent first-time  
5           minor offenders from committing subsequent in-  
6           volvement in serious crime;

7           “(iv) successful efforts to prevent recidivism;

8           “(v) the juvenile justice system;

9           “(vi) juvenile violence;

10          “(vii) appropriate mental health services for  
11          juveniles and youth at risk of participating in  
12          delinquent activities;

13          “(viii) reducing the proportion of juveniles  
14          detained or confined in secure detention facili-  
15          ties, secure correctional facilities, jails, and lock-  
16          ups who are members of minority groups;

17          “(ix) evaluating services, treatment, and  
18          aftercare placement of juveniles who were under  
19          the care of the State child protection system be-  
20          fore their placement in the juvenile justice sys-  
21          tem;

22          “(x) determining—

23               “(I) the frequency, seriousness, and in-  
24               cidence of drug use by youth in schools and  
25               communities in the States using, if appro-

1            *priate, data submitted by the States pursu-*  
2            *ant to this subparagraph and subsection*  
3            *(b); and*

4            *“(II) the frequency, degree of harm,*  
5            *and morbidity of violent incidents, particu-*  
6            *larly firearm-related injuries and fatalities,*  
7            *by youth in schools and communities in the*  
8            *States, including information with respect*  
9            *to—*

10            *“(aa) the relationship between vic-*  
11            *tims and perpetrators;*

12            *“(bb) demographic characteristics*  
13            *of victims and perpetrators; and*

14            *“(cc) the type of weapons used in*  
15            *incidents, as classified in the Uniform*  
16            *Crime Reports of the Federal Bureau*  
17            *of Investigation; and*

18            *“(xi) other purposes consistent with the*  
19            *purposes of this title and title I.*

20            *“(2) The Administrator shall ensure that an equitable*  
21            *amount of funds available to carry out paragraph (1)(B)*  
22            *is used for research and evaluation relating to the preven-*  
23            *tion of juvenile delinquency.*

24            *“(3) Nothing in this subsection shall be construed to*  
25            *permit the development of a national database of personally*



1 *identifiable information on individuals involved in studies,*  
2 *or in data-collection efforts, carried out under paragraph*  
3 *(1)(B)(x).*

4           “(4) *Not later than 1 year after the date of en-*  
5 *actment of this paragraph, the Administrator shall*  
6 *conduct a study with respect to juveniles who, prior*  
7 *to placement in the juvenile justice system, were*  
8 *under the care or custody of the State child welfare*  
9 *system, and to juveniles who are unable to return to*  
10 *their family after completing their disposition in the*  
11 *juvenile justice system and who remain wards of the*  
12 *State. Such study shall include—*

13               “(A) *the number of juveniles in each cat-*  
14 *egory;*

15               “(B) *the extent to which State juvenile jus-*  
16 *tice systems and child welfare systems are co-*  
17 *ordinating services and treatment for such juve-*  
18 *niles;*

19               “(C) *the Federal and local sources of funds*  
20 *used for placements and post-placement services;*

21               “(D) *barriers faced by State in providing*  
22 *services to these juveniles;*

23               “(E) *the types of post-placement services*  
24 *used;*

1                   “(F) the frequency of case plans and case  
2                   plan reviews; and

3                   “(G) the extent to which case plans identify  
4                   and address permanency and placement barriers  
5                   and treatment plans.

6           “(b) STATISTICAL ANALYSES.—The Administrator  
7 may—

8                   “(1) plan and identify the purposes and goals of  
9                   all agreements carried out with funds provided under  
10                  this subsection; and

11                  “(2) undertake statistical work in juvenile justice  
12                  matters, for the purpose of providing for the collec-  
13                  tion, analysis, and dissemination of statistical data  
14                  and information relating to juvenile delinquency and  
15                  serious crimes committed by juveniles, to the juvenile  
16                  justice system, to juvenile violence, and to other pur-  
17                  poses consistent with the purposes of this title and  
18                  title I.

19           “(c) COMPETITIVE SELECTION PROCESS.—The Ad-  
20 ministrator shall use a competitive process, established by  
21 rule by the Administrator, to carry out subsections (a) and  
22 (b).

23           “(d) IMPLEMENTATION OF AGREEMENTS.—A Federal  
24 agency that makes an agreement under subsections  
25 (a)(1)(B) and (b)(2) with the Administrator may carry out

1 *such agreement directly or by making grants to or contracts*  
2 *with public and private agencies, institutions, and organi-*  
3 *zations.*

4 “(e) *INFORMATION DISSEMINATION.—The Adminis-*  
5 *trator may—*

6 “(1) *review reports and data relating to the juve-*  
7 *nile justice system in the United States and in for-*  
8 *foreign nations (as appropriate), collect data and infor-*  
9 *mation from studies and research into all aspects of*  
10 *juvenile delinquency (including the causes, preven-*  
11 *tion, and treatment of juvenile delinquency) and seri-*  
12 *ous crimes committed by juveniles;*

13 “(2) *establish and operate, directly or by con-*  
14 *tract, a clearinghouse and information center for the*  
15 *preparation, publication, and dissemination of infor-*  
16 *mation relating to juvenile delinquency, including*  
17 *State and local prevention and treatment programs,*  
18 *plans, resources, and training and technical assist-*  
19 *ance programs; and*

20 “(3) *make grants and contracts with public and*  
21 *private agencies, institutions, and organizations, for*  
22 *the purpose of disseminating information to rep-*  
23 *resentatives and personnel of public and private agen-*  
24 *cies, including practitioners in juvenile justice, law*  
25 *enforcement, the courts, corrections, schools, and re-*

1        *lated services, in the establishment, implementation,*  
 2        *and operation of projects and activities for which fi-*  
 3        *nancial assistance is provided under this title.*

4        **“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

5        *“(a) TRAINING.—The Administrator may—*

6                *“(1) develop and carry out projects for the pur-*  
 7                *pose of training representatives and personnel of pub-*  
 8                *lic and private agencies, including practitioners in*  
 9                *juvenile justice, law enforcement, courts (including*  
 10               *model juvenile and family courts), corrections,*  
 11               *schools, and related services, to carry out the purposes*  
 12               *specified in section 102; and*

13               *“(2) make grants to and contracts with public*  
 14               *and private agencies, institutions, and organizations*  
 15               *for the purpose of training representatives and per-*  
 16               *sonnel of public and private agencies, including prac-*  
 17               *titioners in juvenile justice, law enforcement, courts*  
 18               *(including model juvenile and family courts), correc-*  
 19               *tions, schools, and related services, to carry out the*  
 20               *purposes specified in section 102.*

21        *“(b) TECHNICAL ASSISTANCE.—The Administrator*  
 22        *may—*

23               *“(1) develop and implement projects for the pur-*  
 24               *pose of providing technical assistance to representa-*  
 25               *tives and personnel of public and private agencies*

1        *and organizations, including practitioners in juvenile*  
2        *justice, law enforcement, courts (including model juve-*  
3        *nile and family courts), corrections, schools, and re-*  
4        *lated services, in the establishment, implementation,*  
5        *and operation of programs, projects, and activities for*  
6        *which financial assistance is provided under this*  
7        *title; and*

8                *“(2) make grants to and contracts with public*  
9        *and private agencies, institutions, and organizations,*  
10        *for the purpose of providing technical assistance to*  
11        *representatives and personnel of public and private*  
12        *agencies, including practitioners in juvenile justice,*  
13        *law enforcement, courts (including model juvenile and*  
14        *family courts), corrections, schools, and related serv-*  
15        *ices, in the establishment, implementation, and oper-*  
16        *ation of programs, projects, and activities for which*  
17        *financial assistance is provided under this title.*

18        *“(c) TRAINING AND TECHNICAL ASSISTANCE TO MEN-*  
19        *TAL HEALTH PROFESSIONALS AND LAW ENFORCEMENT*  
20        *PERSONNEL.—The Administrator shall provide training*  
21        *and technical assistance to mental health professionals and*  
22        *law enforcement personnel (including public defenders, po-*  
23        *lice officers, probation officers, judges, parole officials, and*  
24        *correctional officers) to address or to promote the develop-*  
25        *ment, testing, or demonstration of promising or innovative*

1 *models (including model juvenile and family courts), pro-*  
 2 *grams, or delivery systems that address the needs of juve-*  
 3 *niles who are alleged or adjudicated delinquent and who,*  
 4 *as a result of such status, are placed in secure detention*  
 5 *or confinement or in nonsecure residential placements.”.*

6 **SEC. 12. DEMONSTRATION PROJECTS.**

7 *Title II of the Juvenile Justice and Delinquency Pre-*  
 8 *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended*  
 9 *by inserting after part D, as added by section 11, the fol-*  
 10 *lowing:*

11 **“PART E—DEVELOPING, TESTING, AND DEM-**  
 12 **ONSTRATING PROMISING NEW INITIATIVES**  
 13 **AND PROGRAMS**

14 **“SEC. 261. GRANTS AND PROJECTS.**

15 *“(a) AUTHORITY TO MAKE GRANTS.—The Adminis-*  
 16 *trator may make grants to and contracts with States, units*  
 17 *of general local government, Indian tribal governments,*  
 18 *public and private agencies, organizations, and individ-*  
 19 *uals, or combinations thereof, to carry out projects for the*  
 20 *development, testing, and demonstration of promising ini-*  
 21 *tiatives and programs for the prevention, control, or reduc-*  
 22 *tion of juvenile delinquency. The Administrator shall ensure*  
 23 *that, to the extent reasonable and practicable, such grants*  
 24 *are made to achieve an equitable geographical distribution*  
 25 *of such projects throughout the United States.*

1       “(b) *USE OF GRANTS.*—A grant made under sub-  
2   section (a) may be used to pay all or part of the cost of  
3   the project for which such grant is made.

4   **“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

5       *“The Administrator may make grants to and contracts*  
6   *with public and private agencies, organizations, and indi-*  
7   *viduals to provide technical assistance to States, units of*  
8   *general local government, Indian tribal governments, local*  
9   *private entities or agencies, or any combination thereof, to*  
10   *carry out the projects for which grants are made under sec-*  
11   *tion 261.*

12   **“SEC. 263. ELIGIBILITY.**

13       *“To be eligible to receive a grant made under this part,*  
14   *a public or private agency, Indian tribal government, orga-*  
15   *nization, institution, individual, or combination thereof*  
16   *shall submit an application to the Administrator at such*  
17   *time, in such form, and containing such information as the*  
18   *Administrator may reasonably require by rule.*

19   **“SEC. 264. REPORTS.**

20       *“Recipients of grants made under this part shall sub-*  
21   *mit to the Administrator such reports as may be reasonably*  
22   *requested by the Administrator to describe progress achieved*  
23   *in carrying out the projects for which such grants are*  
24   *made.”.*

1 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 299 of the Juvenile Justice and Delinquency*  
 3 *Prevention Act of 1974 (42 U.S.C. 5671) is amended—*

4 *(1) by striking subsection (e), and*

5 *(2) by striking subsections (a), (b), and (c), and*  
 6 *inserting the following:*

7 *“(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE*  
 8 *II (EXCLUDING PARTS C AND E).—(1) There are author-*  
 9 *ized to be appropriated to carry out this title such sums*  
 10 *as may be appropriate for fiscal years 2002, 2003, 2004,*  
 11 *2005, and 2006.*

12 *“(2) Of such sums as are appropriated for a fiscal year*  
 13 *to carry out this title (other than parts C and E)—*

14 *“(A) not more than 5 percent shall be available*  
 15 *to carry out part A;*

16 *“(B) not less than 80 percent shall be available*  
 17 *to carry out part B; and*

18 *“(C) not more than 15 percent shall be available*  
 19 *to carry out part D.*

20 *“(b) AUTHORIZATION OF APPROPRIATIONS FOR PART*  
 21 *C.—There are authorized to be appropriated to carry out*  
 22 *part C such sums as may be necessary for fiscal years 2002,*  
 23 *2003, 2004, 2005, and 2006.*

24 *“(c) AUTHORIZATION OF APPROPRIATIONS FOR PART*  
 25 *E.—There are authorized to be appropriated to carry out*  
 26 *part E, and authorized to remain available until expended,*



1 *such sums as may be necessary for fiscal years 2002, 2003,*  
 2 *2004, 2005, and 2006.”.*

3 **SEC. 14. ADMINISTRATIVE AUTHORITY.**

4 *Section 299A of the Juvenile Justice and Delinquency*  
 5 *Prevention Act of 1974 (42 U.S.C. 5672) is amended—*

6 *(1) in subsection (d) by striking “as are con-*  
 7 *sistent with the purpose of this Act” and inserting*  
 8 *“only to the extent necessary to ensure that there is*  
 9 *compliance with the specific requirements of this title*  
 10 *or to respond to requests for clarification and guid-*  
 11 *ance relating to such compliance”, and*

12 *(2) by adding at the end the following:*

13 *“(e) If a State requires by law compliance with the*  
 14 *requirements described in paragraphs (11), (12), and (13)*  
 15 *of section 223(a), then for the period such law is in effect*  
 16 *in such State such State shall be rebuttably presumed to*  
 17 *satisfy such requirements.”.*

18 **SEC. 15. USE OF FUNDS.**

19 *Section 299C(c) of the Juvenile Justice and Delin-*  
 20 *quency Prevention Act of 1974 (42 U.S.C. 5674(c)) is*  
 21 *amended to read as follows:*

22 *“(c) No funds may be paid under this title to a resi-*  
 23 *dential program (excluding a program in a private resi-*  
 24 *dence) unless—*

1           “(1) there is in effect in the State in which such  
 2           placement or care is provided, a requirement that the  
 3           provider of such placement or such care may be li-  
 4           censed only after satisfying, at a minimum, explicit  
 5           standards of discipline that prohibit neglect, physical  
 6           and mental abuse, as defined by State law;

7           “(2) such provider is licensed as described in  
 8           paragraph (1) by the State in which such placement  
 9           or care is provided; and

10           “(3) such provider satisfies the licensing stand-  
 11           ards of each other State from which such provider re-  
 12           ceives a juvenile for such placement or such care, in  
 13           accordance with the Interstate Compact on Child  
 14           Placement as entered into by such other State.”.

15 **SEC. 16. LIMITATIONS ON USE OF FUNDS.**

16           Part F of title II of the Juvenile Justice and Delin-  
 17           quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),  
 18           as so redesignated by section 10, is amended adding at the  
 19           end the following:

20 **“SEC. 299F. LIMITATIONS ON USE OF FUNDS.**

21           “None of the funds made available to carry out this  
 22           title may be used to advocate for, or support, the unsecured  
 23           release of juveniles who are charged with a violent crime.”.

1 **SEC. 17. RULES OF CONSTRUCTION.**

2 *Part F of title II of the Juvenile Justice and Delin-*  
 3 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*  
 4 *as so redesignated by section 10 and amended by section*  
 5 *16, is amended adding at the end the following:*

6 **“SEC. 299G. RULES OF CONSTRUCTION.**

7 *“Nothing in this title or title I shall be construed—*

8 *“(1) to prevent financial assistance from being*  
 9 *awarded through grants under this title to any other-*  
 10 *wise eligible organization; or*

11 *“(2) to modify or affect any Federal or State law*  
 12 *relating to collective bargaining rights of employees.”.*

13 **SEC. 18. LEASING SURPLUS FEDERAL PROPERTY.**

14 *Part F of title II of the Juvenile Justice and Delin-*  
 15 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*  
 16 *as so redesignated by section 10 and amended by sections*  
 17 *16 and 17, is amended adding at the end the following:*

18 **“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

19 *“The Administrator may receive surplus Federal prop-*  
 20 *erty (including facilities) and may lease such property to*  
 21 *States and units of general local government for use in or*  
 22 *as facilities for juvenile offenders, or for use in or as facili-*  
 23 *ties for delinquency prevention and treatment activities.”.*

24 **SEC. 19. ISSUANCE OF RULES.**

25 *Part F of title II or the Juvenile Justice and Delin-*  
 26 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*

1 *as so redesignated by section 10 and amended by sections*  
 2 *16, 17, and 18, is amended adding at the end the following:*

3 **“SEC. 299I. ISSUANCE OF RULES.**

4 *“The Administrator shall issue rules to carry out this*  
 5 *title, including rules that establish procedures and methods*  
 6 *for making grants and contracts, and distributing funds*  
 7 *available, to carry out this title.”.*

8 **SEC. 20. CONTENT OF MATERIALS.**

9 *Part F of title II of the Juvenile Justice and Delin-*  
 10 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*  
 11 *as so redesignated by section 10 and amended by sections*  
 12 *16, 17, 18, and 19, is amended by adding at the end the*  
 13 *following:*

14 **“SEC. 299J. CONTENT OF MATERIALS.**

15 *“Materials produced, procured, or distributed both*  
 16 *using funds appropriated to carry out this Act and for the*  
 17 *purpose of preventing hate crimes that result in acts of*  
 18 *physical violence, shall not recommend or require any ac-*  
 19 *tion that abridges or infringes upon the constitutionally*  
 20 *protected rights of free speech, religion, or equal protection*  
 21 *of juveniles or of their parents or legal guardians.”.*

22 **SEC. 21. TECHNICAL AND CONFORMING AMENDMENTS.**

23 *(a) TECHNICAL AMENDMENTS.—The Juvenile Justice*  
 24 *and Delinquency Prevention Act of 1974 (42 U.S.C. 5601*  
 25 *et seq.) is amended—*

1           (1) *in section 202(b) by striking “prescribed for*  
2           *GS–18 of the General Schedule by section 5332” and*  
3           *inserting “payable under section 5376”,*

4           (2) *in section 221(b)(2) by striking the last sen-*  
5           *tence,*

6           (3) *in section 299D by striking subsection (d),*  
7           *and*

8           (4) *by striking titles IV and V, as originally en-*  
9           *acted by Public Law 93–415 (88 Stat. 1132–1143).*

10          (b) *CONFORMING AMENDMENTS.—(1) The Victims of*  
11          *Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amend-*  
12          *ed—*

13               (A) *in section 214(b)(1) by striking “262, 293,*  
14               *and 296 of subpart II of title II” and inserting*  
15               *“299B and 299E”,*

16               (B) *in section 214A(c)(1) by striking “262, 293,*  
17               *and 296 of subpart II of title II” and inserting*  
18               *“299B and 299E”,*

19               (C) *in section 217(c)(1) by striking “sections*  
20               *262, 293, and 296 of subpart II of title II” and in-*  
21               *serting “sections 299B and 299E”, and*

22               (D) *in section 223(c) by striking “section 262,*  
23               *293, and 296” and inserting “sections 262, 299B, and*  
24               *299E”.*

1       (2) *Section 404(a)(5)(E) of the Missing Children’s As-*  
2       *sistance Act (42 U.S.C. 5773) is amended by striking “sec-*  
3       *tion 313” and inserting “section 331”.*

4       **SEC. 22. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

5       (a) *EFFECTIVE DATE.*—*Except as provided in sub-*  
6       *section (b), this Act and the amendments made by this Act*  
7       *shall take effect on the date of the enactment of this Act.*

8       (b) *APPLICATION OF AMENDMENTS.*—*The amendments*  
9       *made by this Act shall apply only with respect to fiscal*  
10       *years beginning after September 30, 2001.*



**Union Calendar No. 120**

107TH CONGRESS  
1ST SESSION

**H. R. 1900**

**[Report No. 107-203]**

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**A BILL**

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

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SEPTEMBER 10, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed